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March 24, 2023

**Via Electronic Filing**

Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Defendant's application for oral argument is **DENIED**. The pending motions shall be decided on the submitted papers. So Ordered.

Dated: March 27, 2023  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: ***Kewazinga Corp. v. Google LLC***, No. 1:20-cv-1106-LGS (S.D.N.Y.)  
**Joint Letter Regarding Request for Oral Argument**

Dear Honorable Judge Schofield:

Pursuant to the Court's March 20, 2023 order (*see* D.I. 293, 297, 305), Google identifies below the junior attorneys, by name and year of law school graduation, who will argue the pending motions.<sup>1</sup> Kewazinga withdraws its request for oral argument for the reasons below.

**Google's Position:** Google maintains its request for oral argument and, pursuant to the conditions identified in the Court's March 20, 2023 order (D.I. 305), identifies the following junior attorneys who would argue all of the pending motions should the Court grant a hearing under those conditions:

- Deborah J. Mariottini (2019) (*pro hac vice* pending)
- Lee J. Matalon (2020)

Google also respectfully requests that the Court provide ample notice of the hearing date to give the junior attorneys the opportunity to prepare for oral argument and practice their presentations.

With respect to Kewazinga's staffing issues (*see* below), Google notes that it just added a new junior attorney to the team, Deborah J. Mariottini, so that she can have the opportunity to argue at the hearing. Google believes that Kewazinga should be able to respond in kind. Nevertheless, to the extent the Court is inclined to grant oral argument without seniority limitations, Google remains committed to having the above junior attorneys argue a substantial subset of the pending motions.

**Kewazinga's Withdrawal of Its Request for Oral Argument:**

Kewazinga withdraws its request for oral argument and requests that the Court decide the pending motions on the submitted papers. Only one attorney of record for Kewazinga is a junior

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<sup>1</sup> Google's Motion for Summary Judgment of Noninfringement (Dkt. 249, 253); Kewazinga's Motions for Summary Judgment (Dkt. 267, 270); and Google's *Daubert* Motion to Exclude Certain Portions of the Opinions of Ms. Michele Riley (Dkt. 281, 284).

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attorney.<sup>2</sup> However, that attorney has been largely unavailable since November 14, 2022 and on family leave since December 25, 2022 (with a scheduled return of March 27). In view of this and the Court's order that each party should identify only junior attorneys to argue the pending motions or otherwise withdraw its request for oral argument, Kewazinga respectfully withdraws its request.

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<sup>2</sup> While both Brown Rudnick LLP and Stroock & Stroock & Lavan LLP remain counsel of record for Kewazinga in this case, the matter was transitioned to Brown Rudnick in 2021, and Stroock's involvement since then has been minimal, and they did not work on any of the motions pending before the Court. Also, the remaining attorneys from Stroock that are still of record are not junior attorneys.

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*/s/ Ian G. DiBernardo*

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Respectfully submitted,

*/s/ Lee J. Matalon*

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